

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a Second Amendment to Disposition and Development Agreement (2nd Amendment) between Office District Parking I, Inc., (ODP) and CityMark Juhl, LLC, (CityMark) for the development of a mixed-use residential project at 353 Bonneville Avenue (Project) (APN 139-34-312-000) - Ward 3 (Reese)

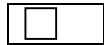
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

CityMark commenced construction of the Project with approved Improvement Plans premised on the City of Las Vegas (City) constructing new sewer storm drain facilities on Bonneville Avenue, to which the Project would connect its sewer storm drain. To date, the City has not constructed the new sewer storm drain facilities causing CityMark to incur substantial additional costs to redesign and connect the Project's sewer storm drain to 4th Street. The 2nd Amendment provides CityMark a credit of \$184,739.04 towards its Promissory Note to ODP for the additional costs.

RECOMMENDATION:

Authorization and approval for the President of Office District Parking I, Inc., to execute the Second Amendment to Disposition and Development Agreement.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Second Amendment to Disposition and Development Agreement
3. Documentation of Additional Costs
4. Disclosure of Principals
5. Site Map

Motion made by GARY REESE to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN,
GARY REESE, STEVEN D. ROSS, DAVID W. STEINMAN; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

CITY COUNCIL MEETING OF: JANUARY 7, 2009

Minutes:

SCOTT ADAMS, Director of the Office of Business Development, stated this item pertained to a Second Amendment to the Disposition and Development Agreement (DDA) Office District Parking I, Inc., and CityMark Juhl, LLC. The land underneath the nearly completed Juhl Tower had been previously owned by the City through a non-profit and had been sold CityMark through a structure takedown where they paid a deposit and deferred the balance.

MR. ADAMS stated that the sewer system that was part of the Juhl project had been delayed due to the City's work on right-of-way issues with the LiveWork project. CityMark had incurred unanticipated expenses of approximately \$185,000 to install the sewer connection due to that delay. He recommended approval of the item which would provide CityMark with additional escrow requirements and give them a credit against the sale proceeds.

ALEX WHEATON, City Mark, LLC, stated that JUHL should receive its temporary certificate of occupancy on January 12, 2009, and thanked MR. ADAMS and the City staff for all their help. He noted that 30-40 contracts on units would be closing in January and approximately 220 contracts with non-refundable deposits remained outstanding. Due to the current economic climate, he estimated that approximately 50 percent of those contracts not be able to perform and approximately 100 units would be occupied. He pointed out that the building has a significant amount of retail space and stated the goal was to make Juhl a lights-on building with street level activity in the downtown area.

MAYOR GOODMAN acknowledged that the City is a partner in the Juhl project and encouraged MR. WHEATON to ask staff for any assistance that they could provide. He observed that Juhl will be an important part of revitalizing the City's urban core.

